

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - February 17, 1971

Appeal No. 10670 Booker T. Wilson et ux., appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of February 23, 1971.

ORDERED:

That the appeal for permission to establish a pre-school nursery, variance from side, yard to permit addition to connect dwelling to existing garage and variance for two parking spaces in front of dwelling at 2405 32nd Street, S.E., lot 800 and 803 in Square 5650 be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. The property is improved with a two story detached brick single family dwelling.
3. The appellant proposes to establish a day care nursery on the premises. The appellant also proposes to erect an addition to the existing dwelling which would connect the dwelling to the existing garage (See Exhibit No. 15) with parking in front of the dwelling.
4. The proposed addition would be 21'2" by 25' and the appellant would park in the existing driveway. (See Exhibit No. 2).
5. The day care nursery would have approximately twenty-five children.
6. There was considerable neighborhood opposition to the granting of this appeal.

OPINION:

We are of the opinion that the proposed day care center is so located and the activities therein will be such that it is likely

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to become objectionable to adjoining and nearby property because of noise, traffic and other objectionable conditions.

We are also of the opinion that appellant has not proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties or undue hardship upon the owner.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____

GEORGE A. GROGAN
Secretary of the Board